

**Minutes of Meeting  
Grafton Planning Board  
February 25, 2008**

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A regular meeting of the Grafton Planning Board was held on Monday, February 25, 2008 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Vice-Chair Robert Hassinger, Clerk Keith Regan, Donald Chouinard and Associate Member Christophe G. Courchesne. Absent from the meeting were Chairman Peter Parsons and Richard McCarthy. Staff present was Town Planner, Stephen Bishop and Assistant Planner Ann Morgan.

Vice-Chair Hassinger called the meeting to order at 7:03 p.m.

**MODIFICATION OF DEFINITIVE PLAN APPROVAL – “FERRY RIDGE ESTATES” SUBDIVISION – INDIVIDUAL LOT, L.L.C. (APPLICANT/OWNER) REDESIGN TO APPROVED DRAINAGE SYSTEM**

Vice-Chair Hassinger read a letter from the “Ferry Ridge Estates” Subdivision Project director requesting the Board to continue the public hearing to the next Planning Board meeting.

**MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to accept the applicant’s written request to continue the public hearing to March 10, 2008 at 7:00 p.m. **MOTION** carried unanimously 3 to 0.

**ACTION ITEM 2-A – APPROVAL NOT REQUIRED PLAN (ANR 2008-6) ETRE BUILDERS, INC. – “PETERS ESTATES” SUBDIVISION – OFF 69 PLEASANT STREET**

Present for the applicant was Peter Bemis of Engineering Design Consultants, Inc.

Mr. Bishop informed the Board that the ANR is the result of an abutter’s claims that the property lines shown on the Definitive plan were not accurate.

Mr. Hassinger questioned Mr. Bishop on concerns as to whether the ANR has an effect on the recorded Definitive Plan.

Mr. Bishop noted that the ANR plan does not change the dimensions of the buildable area, that nothing has yet been built or sold within the subdivision and that the applicant is not altering the roadway in any way.

Mr. Bemis added that the ANR plan is filed at the Registry of Deeds and the Definitive plan layout will reflect the new ANR plan filed with the new lot lines.

Mr. Courchesne recommended the applicant clarify the situation when the as-built plans are filed for Town acceptance to avoid any confusion.

**MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to endorse ANR 2008-6 and to authorize the Planner to sign the ANR on behalf of the Planning Board. **MOTION** carried unanimously. 3 to 0.

**ACTION ITEM 2-B – REQUEST FOR REVISED BOND ESTIMATE –  
“BROOKMEADOW VILLAGE” SUBDIVISION – BROOKMEADOW VILLAGE,  
LLC (PETITIONER)**

Norman Gamache of Guerriere & Halnon, Inc. was present representing Brookmeadow Village, LLC.

Mr. Bishop informed the Board that he had suggested Mr. Gamache seek clarification from the Planning Board on the request for Bond Reduction regarding the various Phases for the Brookmeadow Village Subdivision.

Mr. Gamache stated that the Bond status was currently set up as Phase I-A consisting of Brookmeadow Lane and Phase I-B consisting of the part of Taft Mill Road off of Brookmeadow Lane. Phase II consists of the rest of Taft Mill Road and the remainder of the subdivision.

Mr. Gamache proposed the change of Phase I-A consisting of Brookmeadow Lane and the part of Taft Mill Road off of Brookmeadow Lane; Phase I-B being Taft Mill Road and the 1300 feet of roadway off of Milford Road; and Phase II the remainder of Taft Mill Road back up to Brookmeadow.

Mr. Gamache noted his client would like to have the Board reduce the current bond for Phase I-A and then take the next two Phases (Phase I-B and Phase II) and combine them into one Bond estimate.

Mr. Bishop informed the Board that the current total Bond on file for Phase I-A is \$1,070,026.00, the allowed reduction is \$256,966.00; and the remaining bond required including the 20% retention is \$813,060.00. Mr. Bishop noted that Phase I-B and Phase II would be included in a second bond.

**MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to approve the applicant's written request to reduce the Performance Bond currently being held as security to \$813,060.00, based on correspondence from Graves Engineering and the requirements of the applicable Subdivision Rules & Regulations. **MOTION** carried unanimously 3 to 0.

**ACTION ITEM 2-C - PROJECT PLAN REVIEW – TUFTS UNIVERSITY –  
PHASE II – CAMPUS CENTER – BUILDING #16**

Mr. Courchesne recused himself due to a conflict of interest.

Mr. Bishop recapped the project plan presented at the last Planning Board meeting, stating that a number of issues were reviewed and responses were received from Graves Engineering on the outstanding items. Mr. Bishop noted Graves had sent three review letters with regard to the outstanding items, the most recent on Friday, February 22, addressing all items with the exception of the Board's conditioning of the soil sampling.

**MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to direct Staff to draft a decision, taking into consideration all the information received and the conditions discussed. **MOTION** carried unanimously.

**ACTION ITEM 2-D – CONSIDER DECISION – SPECIAL PERMIT (SP2008-1)/SITE PLAN APPROVAL – BERNARD & LOIS REED – 24 OAK STREET – ACCESSORY APARTMENT**

Vice-Chair Hassinger noted that due to the absence of Mr. Parsons, there were not enough voting members present to vote the decision.

Vice-Chair Hassinger received unanimous consent to table the decision for Special Permit (SP2008-1) to the next meeting on March 10, 2008.

**DISCUSSION ITEM 3-A – INFORMAL PRESENTATION – GIRLS SOFTBALL LEAGUE – MIKE ROY & PETER CARDOZA**

Mr. Cardoza, Vice President of the girl's softball league, presented the Board with copies of a site plan and a construction plan for the building they were requesting to build at Nelson Park field. Mr. Cardoza and Mr. Roy informed the Board that the building was from donated funds, labor, etc. and when finished would be donated to the Town. Mr. Cardoza stated they were told by the Building Inspector that the building required a special permit from the Planning Board.

Mr. Bishop noted that the Building Inspector found that the building would fall under 3.2.3.1 – Public recreational facilities and would require permitting from the Planning Board.

Vice-Chair Hassinger informed Mr. Cardoza and Mr. Roy that the bylaw requires the Special Permit requirements not to penalize, but for the benefit of the abutters, that they may be provided with information on what exactly will be taking place on the abutting land and to what extent it may affect them. Mr. Hassinger also noted that the field is owned by the Nelson Trustees, which is not part of the Town and could present a conflict with issues such as maintenance, upkeep, etc.

The Board discussed with Mr. Roy and Mr. Cardoza what they would need to start the process and to try to figure out what will be needed as the hearing progresses.

Vice-Chair Hassinger received unanimous consent to have the petitioners work with Mr. Bishop in bringing forth a reasonable application package, including waiver requests, which will support the Planning Board needs/requirements.

The Board also reminded the petitioners that additional issues may arise during the hearing, specifically with the parking, and that they should be prepared to answer any related questions and provide additional documented information.

### **DISCUSSION ITEM 3-B – PROPOSED ZONING AMENDMENTS – TOWN COUNSEL, ANTHONY PENSKI**

Town Counsel Anthony Penski and Attorney Ginny Sinkel Kremer were present at the meeting to review with the Board their proposed revisions to the Zoning By-laws, the Chapter 40D Priority Development Overlay District, and answer any questions/concerns of the Board regarding the regulations or the changes proposed.

Attorney Penski reviewed and discussed proposed changes to the by-laws with regard to Mr. Hassinger's email of specific concerns.

Vice-Chair Hassinger received unanimous consent to direct Attorney Penski to draft the warrant articles necessary for Town Meeting with regard to the Zoning By-laws, Chapter 43D and the non-criminal disposition as discussed.

### **MINUTES OF PREVIOUS MEETINGS**

**MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to approve the open session minutes of February 11, 2008, as drafted. **MOTION** carried unanimously.

### **STAFF REPORT**

Mr. Bishop asked the Board's clarification of the Scenic road by-law regarding Willard Street. Mr. Bishop stated he was clarifying for the DPW that the by-law was limited to the touching of trees and stone walls that would require a hearing and not the repair of the roadway.

Mr. Bishop also informed the Board that he would be distributing a letter from Town Counsel in their mailboxes concerning their defense of Browns Road as a public roadway from the beginning to the end.

Mr. Bishop stated there has been no response from Webster Bank with regard to the construction work bid for "Magnolia Farms" Subdivision.

Mr. Bishop remarked that a check for \$350,000.00 for the 40R grant has been deposited in the Treasurers Office and there was a need to gain the Board of Selectmen's support for the monies to be designated for the South Grafton district.

**MOTION** by Mr. Regan, **SECOND** by Mr. Hassinger, to adjourn the meeting.  
**MOTION** carried unanimously.

The meeting was adjourned at 9:40 p.m.

  
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Keith A. Regan, Clerk